

**Public Hearing
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**

**AGENDA ITEM NO.: 111
AGENDA DATE: Thu 06/23/2005
PAGE: 1 of 1**

SUBJECT: Set a public hearing to approve use of a 20 foot wide (0.53 acres or 22,903 square feet) strip for construction of a wastewater line through dedicated Balcones Canyonland Preserve (BCP) known as Double J & T located off of F.M. 620 on Murfin Road in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife Code. (Suggested date and time: July 28, 2005 at 6:00 p.m.)

AMOUNT & SOURCE OF FUNDING: All costs associated with the line, as well as any preserve restoration will be paid by Travis County Water Control and Improvement District No. 17.

FISCAL NOTE: There is no unanticipated fiscal impact. A fiscal note is not required.

**REQUESTING Public Works
DEPARTMENT:**

**DIRECTOR'S
AUTHORIZATION: Sondra Creighton**

FOR MORE INFORMATION CONTACT: Junie Plummer 974-7085; Willy Conrad 263-6430;
Laura Bohl 974-7064

PRIOR COUNCIL ACTION: N/A

BOARD AND COMMISSION ACTION: Recommended by BCP Coordinating Committee.

PURCHASING: N/A

MBE / WBE: N/A

Chapter 26 of the Parks and Wildlife Code provides that the use of preserve for non-preserve purposes may be approved upon a finding that there is no feasible and prudent alternative to the use of this land.

Travis County Water Control and Improvement District No. 17 requested an easement across a portion of BCP lands (Double J&T Preserve) that would serve as the location for a proposed wastewater line. The proposed 4-inch line will run from the present development in Cardinal Hills Unit 3, across BCP land (which includes boring under Murfin Road), and into an existing lift station located on Barrie Drive in Cardinal Hills Unit 4. This corridor through BCP land was chosen for the easement, as it has already been previously disturbed/cleared some time ago, and the impact to the natural environment is minimized. The BCP Scientific Advisory Committee reviewed the project and found the easement to be beneficial to the BCP. The alternate, an on-site wastewater treatment plant to serve the new development, poses serious threats to the preserve from the wastewater discharges.

Any and all Best Management Practices will be adhered to before, during, and post-construction for the proposed wastewater improvements. Proper revegetation and revegetation will include exclusively native plants and open grass shrubs.

There is no feasible and prudent alternative to the use of the dedicated parkland which includes all reasonable planning to minimize harm to such lands. The dates of public notification in the Austin American-Statesman are July 3rd, July 10th, and July 17th, 2005.

EXHIBIT "A"

TRACT 1, 0.277 ACRE, 12,050 Sq. Ft.
20' WIDE WASTEWATER EASEMENT
LOT 3, BLOCK NO. TWO
LAKE OAKS ESTATES NO. TWO
E. A. VASSER SURVEY NO. 131

FIELD NOTES

BEING ALL OF THAT CERTAIN TRACT OF LAND OUT OF AND A PART OF THE A. E. VASSER SURVEY NO. 131, SITUATED IN TRAVIS COUNTY, TEXAS, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS BEING A PORTION OF LOT 3, BLOCK NO. TWO, LAKE OAKS ESTATES NO. TWO, A SUBDIVISION RECORDED IN VOLUME 15, PAGE 16 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, CONVEYED TO THE CITY OF AUSTIN IN VOLUME 11848, PAGE 1718 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, SAID TRACT BEING 0.277 ACRE OF LAND MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING, at an iron rod found in the north line of said Lot 3, Block No, Two, being also the common southerly corner of Lots 34 and 35, of the Cardinal Hills Unit Three, a subdivision recorded in Book 16, Page 9, of the Plat records of Travis County, Texas for the **POINT OF BEGINNING** of the herein described 0.277 acre tract of land, from which an iron rod found bears S60°15'40"E, a distance of 140.32 feet to the common corners of Lots 36 and said Lot 35 of the Cardinal Hills Unit Three,

THENCE, S29°39'35"W, over and across said Lot 3, a distance of 602.33 feet to a point in the northerly line of a 60 foot wide County Road as recorded in said Lake Oaks Estates, for the southeast corner of the herein described tract,

THENCE, N60°30'00"W, along said northerly right-of-way line, a distance of 20.00 feet to a point for the southwest corner of the herein described tract,

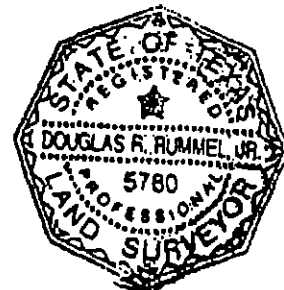
THENCE, N29°39'35"E, over and across said Lot 3, approximately 20 feet west of the common lot line of Lot 2 and said Lot 3, a distance of 602.66 feet to a point in the said north line of said Lot 3, also being the said southerly line of said Lot 34, for the northwest corner of the herein described tract, from which an iron rod found bears N59°10'25"W, a distance of 100.17 feet to the common corner of Lot 18, Lot 33 and said Lot 34, of the Cardinal Hills Unit Three, being also in the northerly line of said Lot 2, of the Lake Oaks Estates,

THENCE, S59°10'25"E, with said common line a distance of 20.00 feet to the **POINT OF BEGINNING**, and containing 0.277 Acre of Land.

Surveyed by:

 10-1-04

Douglas R. Rummel Jr. - R.P.L.S. No. 5780
Carlson, Brlgance & Doering, Inc.
3401 Slaughter Lane West
Austin, Texas 78748 (512) 280-5160



BEARING BASIS FROM CARDINAL HILLS UNIT FOUR
T.C.A.D. PARCEL NO. 01 3768 0202

EXHIBIT "A"

TRACT 2, 0.249 ACRE, 10,353 Sq. Ft.
20' WIDE WASTEWATER EASEMENT
LOT 5, BLOCK NO. ONE
LAKE OAKS ESTATES NO. TWO
FEDELE SEEHOLZER SURVEY NO. 24

FIELD NOTES

BEING ALL OF THAT CERTAIN TRACT OF LAND OUT OF AND A PART OF THE FEDELE SEEHOLZER SURVEY NO. 24, SITUATED IN TRAVIS COUNTY, TEXAS, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS BEING A PORTION LOT 5, BLOCK NO. ONE, LAKE OAKS ESTATES NO. TWO, A SUBDIVISION RECORDED IN VOLUME 15, PAGE 16 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, CONVEYED TO THE CITY OF AUSTIN IN VOLUME 11848, PAGE 1718 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, SAID TRACT BEING 0.249 ACRE OF LAND MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING, at an iron rod found for the northwest corner of Lot 145, of the Cardinal Hills Unit Four, a subdivision recorded in Book 58, Page 20 of the Plat Records of Travis County, Texas, also being in the southerly line of Lot 4, Block No. One, of said Lake Oaks Estates No. Two.

THENCE, N60°30'00"W, along said common line of said Lot 4 and said Lot 145, at distance of approximately 14 feet to the common corner of said Lots 4 and Lot 5, Block No. One, continuing a total distance of 34.03 feet for the **POINT OF BEGINNING** of the herein described 0.249 acre tract of land,

THENCE, over and across said Lot 5, approximately 20 feet west of the common lot line of Lot 4 and said Lot 5, N29°39'35"E, a distance of 542.72 feet to a point in the northerly line of said Lot 5, being also the southerly line of said 60 foot wide County Road, as recorded in said Lake Oaks Estates, for the northwest corner of the herein described tract,

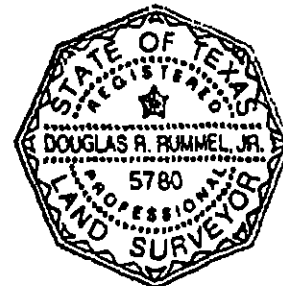
THENCE, S60°06'46"E, with said southerly right-of-way a distance of 20.00 feet to a point for the northeast corner of the herein described tract,

THENCE, S29°39'35"W, a distance of 542.59 feet to a point in the southerly line of said Lot 5, being also the said north line of Lot 145 of the Cardinal Hills Unit Four, for the southeast corner of the herein described tract, from which a iron rod found bears, S60°30'00"E, a distance of 25.94 feet to the northeast corner of said Lot 145,

THENCE, with said common line N60°30'00"W, a distance of 20.00 feet to the **POINT OF BEGINNING**, and containing 0.249 Acre of Land.

Surveyed by:

D. R. Rummel Jr. 10-1-04
Douglas R. Rummel Jr. ~ R.P.L.S. No. 5780
Carlson, Briggance & Doering, Inc.
3401 Slaughter Lane West
Austin, Texas 78748 (512) 280-5160

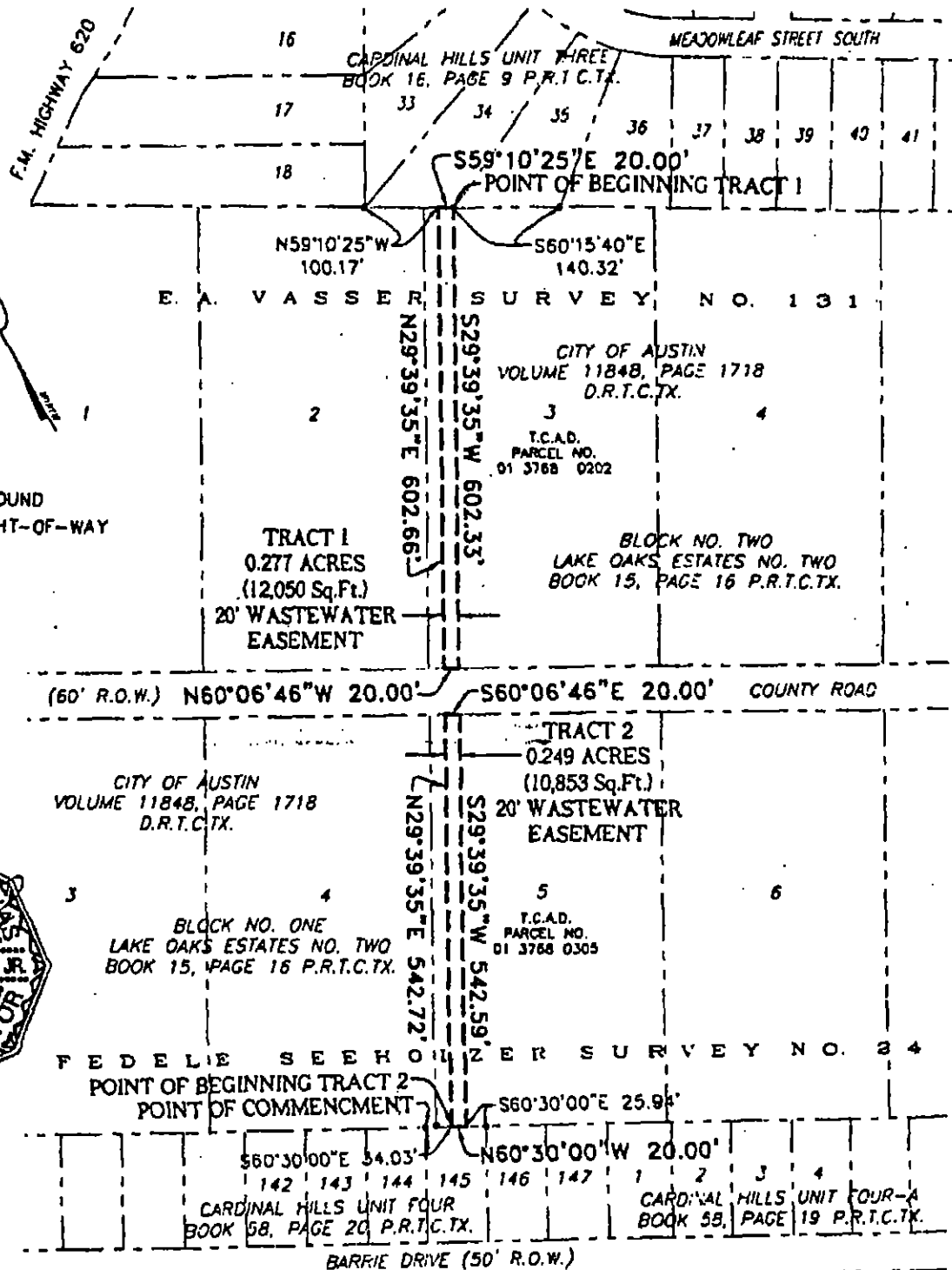
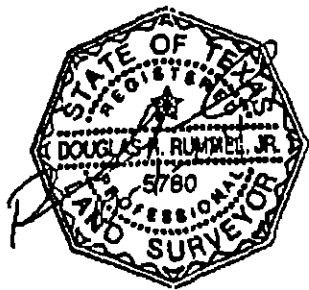


BEARING BASIS FROM CARDINAL HILLS UNIT FOUR
T.C.A.D. PARCEL NO. 01 3768 0305

SCALE: 1" = 200'

LEGEND

- IRON ROD FOUND
(R.O.W.) RECORD RIGHT-OF-WAY



BEARING BASIS FROM CARDINAL HILLS UNIT FOUR
T.C.A.D. PARCEL NO.5' 01 3768 0202
01 3768 0305

SKETCH TO ACCOMPANY
FIELD NOTES



Carlson, Brigrance & Doering, Inc.

Civil Engineering & Surveying
3401 Slaughter Lane West • Austin, Texas 78748
PH (512) 280-5160 • FAX (512) 280-5160

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